

REMARKS

The Office Action of February 8, 2006, is discussed in detail below.

Specification

From Paragraph 3 of the Office Action dated September 8, 2006:

The abstract of the disclosure is objected to because it is not a single paragraph format and it is too long.

Applicant has amended the abstract to place it in a single paragraph format and to limit the number of words to less than 150. Applicant believes that the abstract is now in compliance with MPEP §608.01(b).

Claim Objections

From Paragraph 4 of the Office Action dated September 8, 2006:

Claims 19 & 22-25 are objected to because of the following informalities: ...

Applicant has amended claim 19, line 2 by inserting "an assembly of atoms of" before "two" as requested by the Examiner. Applicant has also amended line 2 of claims 22-25 by inserting "of an assembly of atoms" after "essentially as requested by the Examiner. Applicant believes that the amendments to claims 19 and 22-25 overcome the objections to these claims and respectfully requests that these objections be removed.

From Paragraph 5 of the Office Action dated September 8, 2006:

Claims 4 & 5 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

From Paragraph 7 of the Office Action dated September 8, 2006:

Claims 4, 5, & 11-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 4 to more particularly point out that the transition metal is included among the one or more metal elements of the atomic aggregations of claim 1.

Applicant has also amended claim 5 to more particularly point out that Fe, Mg, V or Co is included among the one or more metal elements of the atomic aggregations of claim 1.

Applicants believe that these amendments comply with the Examiner's requirement that the claims limit the subject matter of a previous claim. Specifically, amended claim 4 limits the one or more metal elements limitation of the atomic aggregations of claim 1 by requiring that a transition metal be included among the metal elements. Amended claim 5 limits the one or more metal elements limitation of the atomic aggregations of claim 1 by requiring that Fe, Mg, V or Co be included among the metal elements.

Applicant also believes that amended claims 4 and 5 overcome the rejection under 35 U.S.C. 112, second paragraph, by more particularly indicating that the transition metal and the Fe, Mg, V, or Co are included among the one or more metals of the atomic aggregations of claim 1.

Applicant has amended claim 11 to more particularly point out that Mg is included among the one or more metal elements of the atomic aggregations of the hydrogen storage material of claim 8.

Applicant believes that the objections to claims 4 and 5 have been overcome and that the rejections of claims 4, 5, and 11 under 35 U.S.C. 112, second paragraph, have also been overcome. Consequently, Applicant believes that the rejections of dependent claims 12-18 under 35 U.S.C. 112, second paragraph, have also been overcome. Applicant respectfully requests that these objections and rejections be removed.

SUMMARY

The remaining claims in the application are Claims 1, 4 – 8, 11 – 25. In the Office Action of September 8, 2006, the Examiner indicated that claims 1, 6-8, 20 and 21 are allowable. In view of the present amendment, Applicant believes that remaining claims 4, 5, 11-18, 19, and 22-25 are now allowable. Accordingly, Applicant believes that the application presently stands in a condition of allowance and respectfully requests withdrawal of all outstanding objections and rejections. If the Examiner has any questions or suggestions regarding this amendment, the Examiner is respectfully asked to contact applicant's representative at the telephone number or email address listed below.

Respectfully submitted,



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